

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

RONALD G. ROSSETTI

V.

AVIS RENT-A-CAR SYSTEM, INC.,  
ET AL.

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CASE NO. 4:04CV358  
(Judge Schneider/Judge Bush)

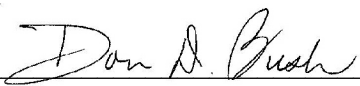
**ORDER**

The Court scheduled a hearing on November 18, 2005 to consider a dispute between the parties regarding their settlement agreement. The Court ordered that Janice Turner attend the hearing on behalf of Avis. Counsel for Avis informed the Court prior to the hearing that Ms. Turner would not be able to attend, and the hearing was therefore cancelled.

Having been briefed on the dispute by telephone conference with the parties, the Court finds that, pursuant to the terms of the settlement agreement, Avis had the right to approve the structured settlement provider. However, such approval or disapproval was required to be reasonable, and Avis has failed to provide a reasonable explanation for failing to approve Plaintiff's chosen structured settlement provider.

IT IS THEREFORE ORDERED that Avis tender \$70,000.00 to the structured settlement provider of Plaintiff's choice and that the parties submit dismissal documents no later than December 5, 2005.

**SIGNED this 23rd day of November, 2005.**

  
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DON D. BUSH  
UNITED STATES MAGISTRATE JUDGE